A DECLARATION

Shewing

THE NECESSITY

Of the

EARLE

OF

STRAFFORDS

Suffering.



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THE NECESSITY OF THE EARLE OF STRAFFORDS SUFFERING.

SIR,

TO give you my advice why it is likely and most probable, I will give you my reason; as causes produce effects, elevation and neare approach of the Sunne argueth Spring; greenneſſe and flowers, declare Summer; throwes antecedents of nativity; clouds portend raine, and laying the cloath a preparation for dinner: He the Earle of Straffords eſcape of puniſhment, muſt of neceſſity raiſe a lamentable ſtorme in our calme, as invading our liberties, ſhipwracking property of goods, cauſing puniſhment upon his impeachers, ſo that the triennial Parliament will bee of no

such force as is expected; for besides it will incourage others to doe the like insolencies, oppressions, extortions, outrages and tyrannies; it will undoe our State: consider we therefore his Physiognomy, posture of person, proud carriage, and insolent behaviour, it may easily foretell the future, as falling leaves winter; for his pallid colour sheweth revenge, his lower face, cruelty; his stooping and looking to the earth, avarice; his gate, pride, and his demeanour, insolency; for revenge is odious in greatnesse, cruelty abhominable in governours, avarice hatefull to God and man, as appeares by his sole ingrosing commodities in Ireland, and therefore he will bee *homo hominibus lupus*, proud in Magistracy, insolent in supreame place, which will breed contempt, contempt impatience, impatience fury, fury rebellion, and rebellion ruine of King and people, for he hath beene so invested by the divell in all deeds, as he can be changed no more then the Leopard from spots, or the Negro from blacknes, and who shall undertake to alter him, laboureth in vaine.

The Duke of Ireland *Michael de la Pool* & his confederates, caused the breaking of the Parliament, when the Parliament had made the Duke of Glouceſter and others Commissioners to reforme abuses, which were a mighty

mighty preſſure then, but thoſe Monſters made all thoſe faithfull Miniſters of State, conſpirators againſt King *Richard* the ſecond and his prerogative, though theſe caterpillers were delinquents and laboured the demolition and overthrow of the whole Eſtate; wherefore it hath beene a rule, that an ill inſtrument hath alwaies beene made incapable of government and can bee of no uſe, for the poſtea; ſuch alwaies have brought an *aequod damnum* to the Prince, and miſchiefe to the Common wealth; for hee is as ſubtile as *Lewis* the eleventh, libidinous as *Tiberius*, cruell as *Nero*, covetous as rich *Creſſus*, as terrible as *Phaluris*, and miſchievous as *Sejanus*, and at the ſame end may he arrive. I will never beleeve but he aimes at Monarchy whoſe actions ſpinne threads of Empire not eaſie to be numbred, and therefore is worthy of no compaſſion of King or Parliament: for this cauſe there is no more worthy ſubject of ruine then the acqueſts of his manifold deeds; now the Deere which eſcapes the toile is more manniſh, the madde Bull wounded and let looſe doth more miſchiefe: ſo if the Earle ſhall get out of the net he will be more ſavage then before, like the Duke of Ireland perſecuted the Patriots of the Common wealth: for revenge

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in cold bloud is more dangerous then in passion, like the Mastive worried returns with others to kill.

Consider therefore his wicked facts, in the frontispiece of which, his setting enimity betweene the two Nations England and Scotland, brothers and subjects to one Soveraigne, his exercising regall authority in Ireland, in impoverishing that Kingdome, firing, imprisoning, causing divers to die, putting out hundreds from their estates by force and armes, starving others for want of flax and materialls, imposing new oathes against Law, and finally breaking up the last Parliament. All which are high treason and are so adjudged in the case of the Duke of Ireland and his confederates in the sixt of *Richard* the second.

Certainly by these barbarous actions hee hath caused the Subjects of England, Scotland and Ireland to murmure against the Diadem; for the highest treason of all is to cause the Throne to be despised, the Power neglected, and his subjects to rebell, which in all ages hath beene held (by Civill and Common Law) a most abhominable *Damnum Majestatis*, worse then hurt of Majesty; for if *Otho Grandorser* for making division betweene the Palatine of Rhene and his mother,

mother loſt his tongue and eyes much more, cauſing Subjects rebell (members of the ſame heads) ought to bee loſſe of life; The Kings regall power hath beene obſtructed and intercepted, eclipſing the ſhining Throne; it could not command their affections, perſons, purſes, nor cauſe them fight againſt the Scots, whom they thought honeſt and good Subjects: and not to inſiſt upon one fact, hath not hee cauſed men to be ſhot to death and executed? So *Alvaro de Luna* for ſuch pride, in cauſing a Gentleman of Spaine to have his necke broake out of a window, becauſe he ſpake ill of him, was executed, though a great favourite, and upon this reaſon that it procured the hatred of the people againſt the King.

It is no anſwer to alledge that he did it by a councell of warre, for it hath no power in peaceable times where the quarrell is for the Subjects right and religion, which the Prince cannot nor ought divorce them from; yea ſome of them have beene ſacrificed to appeaſe the people, though happily not guilty of death; as *Commodus* the Emperour cauſed *Cleander* to die to appeaſe the multitude, which Emperour was much commended by the Hiſtorians of that time: for that

wicked inſtruments of State have no bridle but feare of puniſhment; for which cauſe the inventors of *Gabells* impoſitions and ſuch like have beene rewarded with death; hath not he impoveriſhed the Subjects of Ireland and the County of Yorke, it is moſt certain he hath; his ambitious minde hath cauſed him oppreſſe Ireland, as *Sejanus* the Roman Monarchie, who received his demerits a ſhamefull death; his averice in a Subject hath undone the Merchants of Ireland, and oppreſſion of Subjects by Subjects deſerveth death: and to ſay the truth this man is greater then his Anceſtors, leſſe then his thoughts; which like a whirlewinde hath carried him to ſo abhominable courſes as hath beene brought to paſſe, man cannot receive, nor fortune give more; if ſhee had not made him a King it was becauſe ſhee eſteemed it a leſſe thing to make him a head of an Empire, then give the head of Monarchie to the prey of one; health, wit, riches, greatneſſe and honour, are gifts impoveriſh the foundreſſe, if after the gift her avarice did not retake them.

There was only the Duke of Ireland had ſo abſolute a power in Ireland, as he. The firſt laboured to bee abſolute Duke of Ireland, and ſo will this if he be not cut off in his

his careire: for as others then, ſo the Papiſts now, (who are the greater part of Ireland) would if it were in their power make him a King: wherefore it appeares neceſſary, that he ſhould have condigne puniſhment, for wickedneſſe unpuniſhed diminiſheth not, but increaſeth force; the phyſicke which this Parliament ſhould adminiſter to the ſicke ſtate of the Common-wealth, is ſeaſonable, for nothing is more dangerous in the beginning of feavers then not to let bloud, and it is mortall in gangrenes not to cut off a member; the houſe of Commons hath voated him a traytor, the grand jury of the Kingdome as hath beene ſaid in other Parliaments; and ſhall he goe unpuniſhed (God forbid?) likewiſe hee hath had a moſt honourable triall before the three Eſtates, with divers teſtimonies upon the ſeverall Articles, convinced with prooffes; therefore the Lords by the Earle Marſhall ought as in other Parliaments to give ſentence, for it appears by the 25. of *Ed.* the third *Cap.* 2. That the Parliament onely hath power to expreſſe and declare what is treaſon, and to ſentence it in caſes not ſpecified by the aforeſaid Statute, the words are theſe.

That if any other caſe ſuppoſed treaſon not above ſpecified, ſhall happen before the

Judges they ſhall tarry till the Parliament come, before they give ſentence, that the cauſe bee declared before the King and the Parliament, whether it ought to bee adjudged treaſon or fellony; and this Statute is perpetuall, no probationer; though in the Statute of three and thirtieth of *Henry* 8. *Cap.* 10. the Judges have power to attaint by a Jury, in caſes expreſſed aforeſaid, by which the attainted forfeits all his lands to the King, who ſhall bee in actuall and reall poſſeſſion of the ſame lands, tenements, hereditaments, uſes, goods, chattells, as if the attainder had beene by authority of Parliament; and ſo it is reported by *Cooke* and *Dier*; and in a Parliament in *Henry* the ſixt time, all the Judges of England were of the ſame opinion, when *Tharpe* Speaker of the houſe of Commons, in an adjournment of ſix weekes, was impriſoned; and at the receſſe of the ſaid Parliament, upon complaint of the Commons, the fact being cenſured in the houſe of Commons and tranſmitted up to the Lords, the Lords asked the opinion of the Judges, the Judges anſwered they had no power to judge of any Act of the houſe of Commons, but were ſubject to them, and what the houſe of Commons ſhould ſet downe was Law; by which it appears

appeares plainly they have power to declare the facts of the Lord Strafford treason, which I humbly submit to the high Court of Parliament.

And whereas it is observed that all Papists speake well of him and his actions, it is very likely in recompence thereof he would bring in Popery *vi & armis*, having power under his Majesty to raise armes, and all for a Bulwarke to support his greatnesse, like to that of France.

Now the cause of God is in our hands, which if you omit, you shall never have the like opportunity to doe God and the King good service.

Wherefore my prayer to God shall bee to open his Majesties eies to see the danger he and all we are in.

Gloria Deo, Filio, & Spiritu sancto.

FINIS.